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KARNATAKA LEGISLATIVE ASSEMBLY

Wednesday, the 16th June 1982 / Jyeshta 26 1904 S.E.

The House met in the Assembly Chamber, Vidhana Soudha, at One of the Clock.

MR. DEPUTY SPEAKER (SRI BAPURAO HULSURKAR) in the Chair.

STARRED QUESTIONS

(to which oral answers were given)

Enquiry into the grabing of Lands

287 SRI A. LAKSHMISAGAR (Chickpet)—Will the Minister for Revenue by pleased to state :—

(a) whether the report of the Deputy Commissioner who conducted an enquiry into the grabing of lands by influential persons from Harijan grantees of land in Bilwardahalli Bannerghatta, Bangalore South Taluk, received by the Government ;

(b) if so, the action if any taken by Government to restore to the lands the original Harijan Grantees ;

(c) whether the report of the Deputy Commissioner be placed on the table of the House as promised by the then Revenue Minister during the last Session of the Assembly ?

SRI MALLIKARJUNA M. KHARGE. (Minister for Revenue)—

(a) Yes

(b) Show cause notices were issued by the Special Deputy Commissioner, Bagnalore to the purchasers and the original grantees to resume the land to Government. In the mean while, the purchasers filed a writ petition and the High Court has stayed further proceedings in the matter. The matter is pending before it.

(c) It is under active consideration of Government.

SRI A. LAKSHMISAGAR,—Sir, I would like to know as to when the writs petitions were filed and what is the relief that the petitioners have asked for in the writ petition ?

SRI MALLIKARJUNA M. KHARGE.—The Hon'ble Member may please repeat the question.

SRI A. LAKSHMISAGAR.—Sir, you will kindly remember that I had raised the question of alienation of land granted to Harijans by influential persons in Bilwardahalli, Bannergahatta, Bangalore South taluk on the floor of the House. It was admitted that there was alienation of lands granted to Harijans and in the meanwhile, the Government on a previous occasion had promised that a report concerning this matter would be called for from the Deputy Commissioner, Bangalore District and the same would be placed on the table of the House. The alienations are punishable under law. When I asked the Government as to what action has been taken to recover the possesion of those lands so that they may be restored to original grantees, the Harijans, the Government have replied that the purchasers lad filed writ petitions I would like to know the nature of relief asked for in the writ petitions and when the writ petitions were filed ?

ಶ್ರೀ ಮಲ್ಲಿಕಾರ್ಜುನ ಎಂ. ಖಾರ್ಗೆ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ ಕಾನೂನು ಪ್ರಕಾರ ಈಗಾಗಲೇ ನಾವು ಶೋಕಾಸ್ ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೆನೆ. ಇದು ಕಾನೂನು ಬಾಹಿರವಾಗಿದೆ. ಏಕೆಂದರೆ ಇದು, ಎಸ್.ಸಿ. ಹಾಗೂ ಎಸ್.ಟಿ.ಯವರಿಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದು. ಈ ಕೇಸು ಪ್ರಾಹಿಬಿಷನ್ ಆಫ್ ಏಲಿಯನೇಷನ್ ಆಕ್ಟ್ ಕೆಳಗೆ ಬರುವುದಿಲ್ಲ. ೧೯೫೬ರ ಡಿಪ್ರೆಸ್ಡ್ ಕ್ಲಾಸ್ ದರಖಾಸ್ತು ರೂಲ್ಸ್ ಕೆಳಗೆ ಈ ಜಮೀನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಆದರಲ್ಲಿ ಕಂಡೀಷನ್ ಇರುವುದು ೧೦ ವರ್ಷ ಮಾತ್ರ. ಜಮೀನನ್ನು ಸುಮಾರು ೧೯೬೦ರಲ್ಲಿ ಪರ್ಚೇಸ್ ಮಾಡಿದ್ದಾರೆ. ಕಂಡೀಷನ್ ಉಲ್ಲಂಘನೆ ಮಾಡಿಲ್ಲ. ಅವರು ಕೊಟ್ಟ ನೋಟೀಸ್ ಕಾನೂನಿಂ ವಿರುದ್ಧವಾಗಿದೆಯೆಂದು ನೆಪ ತೆಗೆದುಕೊಂಡು ಅವರು ೧೯೬೦ರಲ್ಲಿ ರಿಟ್ ಪಿಟಿಷನ್ ಹಾಕಿ ತಡೆ ಆಜ್ಞೆ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ.

SRI A. LAKSAMISAGAR.—The alienations are punishable under law. Have the Goverument exsmined the question of prosecutiong them under the Indian Penal Code and also under the Dharkast rules ?

ಶ್ರೀ ಮಲ್ಲಿಕಾರ್ಜುನ ಎಂ. ಖಾರ್ಗೆ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೆ, ನಮ್ಮ ಇಲಾಖೆಯಿಂದ ಪರೀಕ್ಷೆ ಮಾಡಿ ಅದಕ್ಕೆ ನಾವು ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೇವೆ. ಲಾ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್‌ಗೆ ಕಳುಹಿಸಿ ಯಾವ ರೀತಿ ಮಾಡಬೇಕೆಂಬ ಕಾರ್ಯಕ್ರಮವನ್ನು ಇನ್ನೂ ತೆಗೆದುಕೊಂಡಿಲ್ಲ. ಆದರೆ ಇರತಕ್ಕ ಕಾನೂನಿನಲ್ಲೇ ನಾವು ಅವರಿಗೆ ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೇವೆ. ಅದರ ಮೇಲೆ ಹೈಕೋರ್ಟಿಗೆ ಹೋಗಿ ಸ್ಟೇ ತಂದಿದ್ದಾರೆ. ಮುಂದೆ ಏನು ಮಾಡಬೇಕೆನ್ನುವ ಬಗ್ಗೆ ಅಡ್ವಕೇಟ್ ಜನರಲ್‌ರವರಿಗೆ ಕೇಳಲಾಗಿದೆ. ಕಾನೂನು ಪ್ರಕಾರವೇ ಅದನ್ನು ಪಡೆದುಕೊಳ್ಳೋಣ.

SRI A. LAKSHMISAGAR.—The report of the Deputy Commissioner, Bangalore District, may please be placed on the table of the House. It has been pending for more than two years.

SRI MALLIKARJUNA M. KHARGE.—The report is ready and we can place it before the House. There is no difficulty, But the only thing is that the case is pending before the High Court. As soon as the decision of the High Court is delivered, we will place it before the House. There is no hide and seek. We are prepared to publish the report provided everything is ready.

SRI A. LAKSHMISAGAR.—The pendency of the writ petition does not prevent the Government from placing the report on the Table of the House.

SRI MALLIKARJUNA M. KHARGE —I will get it examined through the Law Dapartment and if it ts possible to place the report on the Table of the House. I will certainly place It.

SRI A. LAKSHMISAGAR.–It has gone on recard that Sri Mallikarjuna M. Kharge, the Hon'ble Revenue Minister has said that there have been large number of cases where the lands granted to Harijans nnder various laws have been alienated and have been grabbed by several persons all over the State. May I make a request to the Hon'ble Minister to please give a report about such alienation about which he has received complaints either through petitions or in person ?

SRI MALLIKAJUNA M KHARGE.—We have to collect the statistics from all districts and we are at it. I have examined such cases personally and I have been suspended many Tahsildars for not taking action under these laws. I am reviewing such cases regularly. I have also revieved such cases in the recent Divisional Commissioner and Deputy Commissioners Conferance. If the hon'ble Leader of the Opposition wants the details, definitely I will collect them and provide. But this process will take some time.

Question No. 305 (440)

MR. DEPUTY SPEAKER.—This question is held over.

Compensation to S. C. People

588 SRI R. S. NADONI (Raibagh).—Will the Minister for Revenue be pleased to State.—

(a) the extent of land belonging to Scheduled Caste people in Mugalakhoda village of Raibag taluk which was submerged in irrigation canal during 1955-1956 ;

(b) whether Government has given compensation to such Scheduled Caste people ;

(c) whether it has come to the notice of Government that injustice has caused to the scheduled caste people towards inordinate delay in granting compensation amount so far ;

(d) if it has not brought to the notice of Government, the measures to be taken by the Government to set right the injustice caused to them ?